



Virginia Commission on Youth

Delegate Christopher K. Peace, Chairman

COMMISSION ON YOUTH ACCOMPLISHMENTS – Highlights

Over the past several years, the Commission has worked closely with the executive branch, local government officials, and other impacted stakeholders to identify best practices, engage families, and identify policies that research reveals yield the greatest returns. Recent Commission accomplishments encompass many important topics.

Encouraging Least Restrictive Placements for Students with Disabilities (2015)

- In 2014 and 2015, the Commission on Youth conducted a study – *The Use of Federal, State, and Local Funds for Private Educational Placements of Students with Disabilities*. For students with significant disabilities, or those requiring specialized services and/or supports, private settings may be necessary to meet the individualized needs of the child. Private placements for students with disabilities are funded by Virginia's Children Services Act (CSA). While private schools are an appropriate option within the continuum of placement options, they usually are quite costly. While the number of special education students in the Commonwealth has declined slightly in recent years, data shows that net total expenditures for private day and residential placements funded by CSA have increased by 27% between Fiscal Years (FY) 2012 and 2015 and 12.4% between 2014 and 2015.
- The Commission adopted six distinct recommendations to address barriers in serving students with disabilities in the public school setting. One recommendation is a budget amendment, which is currently included in the Senate's Budget, to require the Department of Education to establish an interagency workgroup to assess barriers to serving students with disabilities in their local public schools.

Budget Language Authorizing a Pilot Program to Safely Reduce the Number of Children in Foster Care (2015)

- The 2016 General Assembly has included language in both the House and Senate Budgets for the Department of Social Services to establish a pilot program in Planning District 11 (Counties of Amherst, Appomattox, Bedford, Campbell Counties and the City of Lynchburg) for the temporary placements of children in families in crisis. This was a recommendation from a 2015 Commission on Youth Study – *Temporary Placements of Children*. The Commission's study evaluated a model employed by 27 other states to reduce the number of children placed in foster care. This model proactively addresses the needs of children and families before they reach a crisis point by providing parents with support and respite during difficult times and having children stay in a safe environment in their community with the ultimate goal of reunification. This approach enables prevention services to be provided to the family rather than waiting for future Child Protective Services' involvement. Parents in other states have utilized this program by voluntarily placing their children with screened and approved host families,

for an average stay of six weeks (44 days), while other families help support the biological/placing parents to help them get back on their feet. Comparatively, the most recent outcomes data in Virginia from October 2015 showed the average time in foster care to be over 20 months. The Commission will receive a follow up report on the progress of this pilot prior to the 2017 General Assembly Session.

Student-Athlete Concussions Protections (2015)

- In 2015, the Commission on Youth conducted a study – *Student-Athlete Concussion Policies*. In conducting the study, the Commission convened a Round Table of experts to discuss this very important topic and assist the Commission in formulating recommendations for the study. The Round Table was comprised of over 50 subject-matter experts including university professors, neurologists, school officials, athletic trainers, sports medicine representatives, and parents.
- Two of the study recommendations provide additional protections to Virginia's students by improving the identification of students who may require further evaluation prior to participating in interscholastic athletics as well as protecting those students who have sustained concussions and are particularly vulnerable for re-injury. House Bill 954, patroned by Delegate Keam has passed both the House and Senate unanimously. The legislation requires school divisions to develop policies and procedures regarding "Return to Learn Protocol" by July 1, 2016, consistent with either the local school division's policies and procedures or the Board of Education's *Guidelines for Policies on Concussions in Student-Athletes*. In addition, the legislation also changes the group covered by the statute from "student-athlete" to "student".
- Senate Bill 665, patroned by Senator David Marsden, passed the Senate unanimously and is currently on the House floor. This legislation requires all student-athletes in middle school who participate in school-sponsored athletics to have a pre-participation physical examination. Currently, there is no clearly delineated eligibility standard requiring middle school students to obtain a pre-participation physical examination. Pre-participation physical examinations help to identify athletes with medical conditions who may require further evaluation and treatment before participation.

Early Childhood Education – Workgroup on Quality (2014)

- On June 17, 2014, the Commission convened the Early Childhood Education – Workgroup on Quality. Over 15 legislators participated on the Workgroup and approximately 120 individuals from the executive/legislative branches and business community attended. Dominion was a key partner.
- The Commission adopted several meaningful recommendations that emerged from the Workgroup. The recommendations addressed high-quality early childhood education programming and improving access to Virginia's Preschool Initiative. One adopted recommendation, which is ongoing, was to request the Commonwealth Council for Childhood Success to study licensing for Virginia's child care system for all providers, including home-based providers.

Unlawful Adoption of a Child (2014)

- The Commission studied unlawful adoption of a child, also known as “re-homing”. Children who are “re-homed” are extremely vulnerable and are at great risk for human trafficking and abuse.
- A recommendation adopted by the Commission supports efforts to provide services to adoptive parents who may be struggling to meet the needs of their child (HB 1821, Farrell and co-patroned by Delegate Peace; SB 834, Martin). This legislation was unanimously passed by both the House and Senate.
- Getting the right support in a time of need makes it more likely that these adoptive families will remain together, and succeed as families.

Seclusion and Restraint in Schools (2014)

- The Commission studied the use of seclusion and restraint in schools. The Commission adopted a recommendation requiring the Virginia Board of Education to promulgate regulations for the use of seclusion and restraint in public schools (HB 1443, Bell; SB 782, Favola). This legislation passed the House unanimously and passed the Senate by 37-1. The legislation addresses concerns raised by family members that schools reliance on guidelines allows for broad discretion for the use of seclusion and restraint.

Virginia’s Public Guardian and Conservator Program (2014)

- The Commission supported additional funding to expand services through the Virginia Public Guardian and Conservator Program to individuals with mental illness and/or intellectual disability who are 18 years of age and older. Virginia’s Pubic Guardian and Conservator Program enables incapacitated persons to meet essential requirements for physical and emotional health and management of financial resources and enables them to remain in their homes and communities. The Commission on Youth recommended inclusion of funding in the 2014-2016 Biennial Budget to support the Virginia Public Guardian and Conservator Program. This funding is in response to the documented need for guardians of last resort.

Three Branch Institute on Child Social and Emotional Well-Being for Foster Care Youth (2013 & 2014)

- As one of seven states selected to participate in The Three-Branch Institute on Child Social and Emotional Well-Being of the National Governors Association, Virginia was able to improve the social and emotional well-being of children in foster care. Commission on Youth members participated in this initiative to represent the legislative branch. Key accomplishments include:
 - Enrolling over 80 percent of all children in foster care in managed care, which has improved access to health care providers, coordinated care and case management, targeted services for chronic conditions, and inclusion of a 24-hour nurse advice line;
 - Developing Medicaid prescription rate analysis; and
 - Shared data on foster children between the Department of Education and the Department of Social Services;

Mental Health Assessments for Juvenile Offenders (2013)

- In 2013, the Commission studied mental health assessments for juvenile offenders. Because of the study, Governor Bob McDonnell included in the 2014 Biennial Budget \$1.6 million each year to the Department of Juvenile Justice's appropriation to support mental health and substance abuse evaluation and treatment services for juveniles under state probation or parole as recommended by the Commission.
- The Commission also adopted legislation to ensure judges have a completed social history prior to disposition for juveniles who may be committed to the Department of Juvenile Justice and to require the Department to create a model social history and guidelines for Court Services Units to use in assisting the courts in making informed dispositional decisions (HB 183, Farrell; SB 128, Favola). This legislation was unanimously passed by the House and Senate.

Restoration of Parental Rights (2012)

- In 2012, the Commission studied the restoration of parental rights. The Commission adopted a recommendation to introduce legislation to create a procedure for restoring parental rights to a parent whose rights to his child have previously been terminated when the child is at least 14 years of age and the child has not achieved his permanency goal (HB 1637, BaCote; SB 1076 Barker). This legislation was unanimously passed by both the House and Senate.
- Foster care is intended to be a temporary safety net for children who are abused or neglected. Ideally, children exit foster care by reunifying with a birth parent, living with a guardian, or being adopted. However, the child welfare system does not locate a family for every child.

Barriers to Kinship Care (2010), School Enrollment Practices for Informal Kinship Caregivers (2011), Definitions of Kinship Care (2012)

- Since 2010, the Commission on Youth has conducted three separate studies assessing the barriers to kinship care placements in Virginia. Kinship care is the full-time care, nurturing, and protection of a child by relatives and is the least restrictive and most family-like setting for children requiring out-of-home placements.
- All of these studies acknowledged the challenges kinship caregivers face. Accessing resources is difficult for relatives raising children. There is considerable lack of knowledge about what resources are available for relative caregivers. Because schools and social service agencies are not integrated, it is extremely difficult for relative caregivers to access community services for their children.
- Recommendations from these studies addressed improving access to resources and the development of a plan for a navigator that will identify existing resources for kinship caregivers and the youth in their care. Other recommendations addressed improving data collection and the creation of guidelines to assist local departments of social services with safety considerations, relative notification, and the use of criminal and child protective services (CPS) checks for kinship care. The Commission also requested that Virginia's barrier crime laws be modified to improve kinship care placements.

Expanding Foster Care to Age 21

- The Commission has also been in support of legislation to expand foster care to age 21 (HB 1236, Peace; SB 277, Favola). Doing so would allow the Commonwealth to draw down partial federal reimbursement for support of young adults in the 19 to 21 age group. Youth who receive this type of assistance are more likely to graduate from high school and less likely to end up homeless or become involved in the criminal justice system.
- While this legislation was not included in the 2014-2016 Appropriations Act, the Department of Social Services is to study this issue. The Department shall report on all efforts undertaken by the agency to increase adoptions of children from foster care. The report shall include barriers to adoption of children in foster care and current efforts to help foster care children who “age out” of the system transition to adulthood and options to improve that transition. The Department shall submit the report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2015.

Evidence-based Practices for Children and Adolescents with Mental Health Treatment Needs (Biennially)

- SJR 358 (2003) directed the Commission on Youth to update biennially its publication, *the Collection of Evidence-based Practices for Children and Adolescents with Mental Health Treatment Needs (Collection)*. The purpose of the *Collection* is to identify effective treatments for children, including juvenile offenders, with mental health treatment needs. Utilization of evidence-based practices in the field of children's mental health promotes better patient outcomes and may offer the Commonwealth some cost savings. The *Collection 5th Edition* was completed in 2013 and can be accessed at <http://vcoy.virginia.gov/>.